

Message Text

SECRET POSS DUPE

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ACTION NEA-10

INFO OCT-01 ISO-00 NEAE-00 SSO-00 NSCE-00 USIE-00 INRE-00
CIAE-00 DODE-00 PM-04 H-01 INR-07 L-03 NSAE-00 NSC-05
PA-01 PRS-01 SP-02 SS-15 IO-13 ACDA-07 /070 W
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O R 141409Z DEC 76
FM AMEMBASSY KUWAIT
TO SECSTATE WASHDC IMMEDIATE 6837
AMEMBASSY AMMAN
INFO AMEMBASSY ABU DHABI
USINT BAGHDAD
AMEMBASSY DOHA
AMEMBASSY DAMASCUS
AMEMBASSY JIDDA
AMEMBASSY MANAMA
AMEMBASSY MUSCAT
AMEMBASSY TEHRAN
USCINCEUR
COMIDEASTFOR

S E C R E T SECTION 1 OF 2 KUWAIT 5779

USCINCEUR ALSO FOR POLAD

E.O. 11652: GDS
TAGS: PBOR, IZ, KU
SUBJECT: KUWAITI RESPONSE TO IRAQI CLAIM OF TWO ISLANDS

REF: (A) KUWAIT 5379, (B) KUWAIT 4373 (NOTAL).

1. SUMMARY. ON DEC. 12, THE IRAQI INFORMATION MINISTER PUBLICLY STATED THAT TWO TRADITIONALLY KUWAITI ISLANDS IN THE PERSIAN GULF, BUBIYAN AND WARBAH, ARE IRAQI TERRITORY; THAT IRAQ WANTS STRIP OF KUWAITI COASTAL LAND AFFORDING ACCESS TO THEM; AND THAT IN RESPONSE TO "ARAB" MEDIATION, IRAQ MIGHT CONSIDER LEASING HALF OF BUBIYAN. IRAQI STATEMENT EVOKED PROMPT RESPONSE DEC. 13 FROM KUWAITI ACTING PRIME MINISTER WHO PUBLICLY RETORTED THAT KUWAIT OWNS BOTH ISLANDS, "REGRETTE" THE IRAQI ANNOUNCEMENT, AND DEMANDED END TO CURRENT IRAQI MILITARY INCURSIONS INTO KUWAIT. AS FAR AS WE

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UNDERSTAND, THE IRAQI AND KUWAITI STATEMENTS FOLLOW PAST POSITIONS, EXCEPT THAT THE IRAQI BID TO ACQUIRE STRIP

OF KUWAITI COAST HAS NOT BEEN HEARD BEFORE. FOR ITS PART, THE KUWAITI LEGAL POSITION, AS SET OUT BY THE ACTING PRIME MINISTER, IS NOT ACCURATE, THOUGH GOK APPARENTLY FELT THAT THE BEST POLITICAL TACTIC TO PROTECT ITS ISLAND PROPERTY WAS TO REACT QUICKLY AND PUBLICLY. WE CAN ONLY SPECULATE ON IRAQI MOTIVES IN DIGGING UP THIS WELL-GNAWED BONE NOW. END SUMMARY.

2. RUETERS HAD STORY FROM BAHGDAD DECEMBER 12 TO EFFECT THAT IRAQI INFORMATION MINSTER, TAREQ AZIZ, CLAIMED KUWAITIS ISLANDS OF WARBAH AND BUBIYAN AS IRAQI TERRITORY. (THIS REEMERGENCE OF IRAQI IRREDENTISM CAUSED HEADLINES IN TWO KUWAITI PAPERS, WHILE OTHERS APPARENTLY WERE AFRAID TO MENTION IT BECAUSE OF THE PRESS LAW.) MINISTER AZIZ WAS QUOTED AS SAYING THAT THE TWO ISLANDS ARE NOW "ADMINISTERED BY KUWAIT", BUT THAT;

A. IRAQ MAINTAINS ITS CLAIM TO WARBAH.

B. IN RESPONSE TO "MEDIATION" BY "OTHER ARAB STATES," IRAQ IS WILLING TO "RENT HALF OF BUBIYAN ISLAND FROM KUWAIT ON A LONG TERM BASIS".

C. IN ADDITON, IRAQ WANTS "A NARROW CORRIDOR OF LAND" ON THE KUWAITI COAST TO ENSURE EASIER ACCESS TO THE TWO ISLANDS IN QUIESTION.

3. THE IMMEDIATE GOK REACTION TO THE REUTERS STORY WAS A MEETING OF THE MINISTERIAL COMMITTEE FOR SECURITY AND POLITICAL AFFAIRS, ON THE MORNING OF DECEMBER 13. THE MINISTERS PRODUCED AN OFFICIAL STATEMENT WHICH THE ACTING PRIME MINISTER/MINISTER OF INFORMATION, SHAIKH JABER AL ALI, READ ON THE RADIO THAT AFTERNOON. THE TEXT OF THIS STATEMENT FOLLOWS:

"WE EXPRESS OUR DEEP REGRET AT THE ISSUANCE OF AN ANNOUNCEMENT BY THE IRAQI MINISTER OF INFORMATION WHICH CONTRADICTS THE INTERNATIONAL AGREEMENTS CONCLUDED BETWEEN IRAQ AND KUWAIT, AND WE ASSERT THAT THE ABSOLUTE OWNERSHIP BY KUWAIT OF THESE TWO ISLANDS IS SPECIFIED IN A 1932 AGREEMENT BETWEEN KUWAIT AND IRAQ, WHICH WAS CONFIRMED BY MINUTES SIGNED IN BAGHDAD ON OCTOBER 4, 1963. IN ADDITION TO THE FORMER IRAQI MILITARY PRESENCE SOUTH OF THE UMM

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QASR AREA, THERE ARE RECENT, CONTINUOUS VIOLATIONS BY THE IRAQI FORCES ALL ALONG THE BORDERS BETWEEN THE TWO COUNTRIES, OF VARIOUS DEPTHS. THIS MADE US ASK BROTHER IRAQ OFFICIALLY TO WITHDRAW IT VIOLATING FORCES, IN ORDER TO MAINTAIN BROTHERLY, GOOD NEIGHBORLY RELATIONS BETWEEN BROTHER STATES".

4. COMMENT: THE REEMERGENCE OF THE QUESTION OF SOVEREIGNTY OF THE TWO ISLANDS COMES ON THE HEELS OF AN ONGOING BORDER CONFRONTATION BETWEEN THE TWO COUNTRIES IN THE

AREA OF THE RUMAILA OILFIELD (REF A), AND AGAINST THE BACKGROUND OF REPEATED AND LONG-LIVED BORDER INCURSIONS BY IRAQI TROOPS (REF B). THE IRAQI MINISTER'S POLICY ASSERTIONS ARE PERFECTLY CONSISTENT WITH PREVIOUS IRAQI POLICY STATEMENTS, AS WE UNDERSTANT THEM, EXCEPT THAT WE ARE UNAWARE THAT IRAQ HAS SAID BEFORE (EITHER PUBLICLY OR IN PRIVATE) THAT IT IS WILLING TO LEASE HALF OF BUBIYAN. RATHER, THIS LAST PROPOSAL HAD BEEN A KUWAITI IDEA, WITH WHICH IRAQ HAD NOT TOTALLY AGREED, AND WITH WHICH THE GOK MAY NO LONGER HOLD NOW.

5. A NEW ELEMENT HERE APPEARS TO BE THE REPORTED IRAQI DESIRE TO OBTAIN A COASTAL STRIP OF KUWAITI TERRITORY, PRESUMABLY RUNNING SOUTH FROM THE NEW IRAQI PORT OF UMM QASR TO THE AREA OF THE NARROWEST CROSSING POINTS FROM THE MAINLAND TO THE ISLANDS IN QUESTION. IF IT IS CROSSING POINTS IRAQ WANTS, THEN IT WOULD APPEAR THAT THE GOI WANTS TO BUILD ROADS AND PERHAPS ADDITIONAL FACILITIES ON THE ISLANDS, RATHER THAN MERELY DISPLACE THE THE KUWAITI POLICE/MILITARY PRESENCE.

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6. THE ACTING PRIME MINISTER'S RETORT TO THE IRAQI ANNOUNCEMENT CONTAINS FOR THE FIRST TIME A PUBLIC ACKNOWLEDGEMENT, AND PUBLIC DEMAND FOR WITHDRAWAL, OF THE SEVERAL CURRENT IRAQI MILITARY BORDER INCURSIONS ABOUT WHICH WE HAVE BEEN REPORTING SINCE SEPTEMBER (REF B AND PREVIOUS). WE HAVE NOTICED A TENDENCY OF THE GOK TO "GO PUBLIC" SOMEWHAT MORE ON ITS PROBLEMS WITH IRAQ SINCE THE END OF THE GULF FOREIGN MINISTERS CONFERENCE. QUIET DIPLOMACY SEEMS TO HAVE AVAILED KUWAIT NOTHING, NEITHER ON BORDER NOR OTHER PROBLEMS WITH IRAQ, SO APPARENTLY THE KUWAITIS HAVE DECIDED TO BRING THEIR TERRITORIAL CONCERNS OUT IN THE OPEN.

7. THE LEGAL POSITION OF KUWAIT IN THIS CASE, AT LEAST AS SUMMARIZED BY THE ACTING PRIME MINISTER, SEEMS NOT TO BE ACCURATELY DOCUMENTED, ALTHOUGH KUWAITI TITLE TO ISLANDS BY VIRTUE OF CONTINUOUS POSSESSION SINCE IRAQ BECAME INDEPENDENT IS CLEAR. FROM A READING OF THE

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AUGUST 1975 CIA/OGC RESEARCH PAPER ENTITLED "PAST AND PRESENT PROBLEMS OF IRAQ'S BOUNDARIES WITH KUWAIT AND SAUDI ARABIA", WE OBSERVE THAT THE "1932" AGREEMENT TO WHICH THE KUWAITI ACTING PRIME MINISTER REFERRED APPARENTLY WAS A SECRET IRAQI-UK EXCHANGE OF LETTERS WHICH IRAQ HAS SINCE REPUDIATED, AND THAT THE 1963 AGREEMENT, WHICH THE KUWAITI ACTING PRIME MINISTER CITED AS "CONFIRMING" KUWAITI OWNERSHIP OF THE TWO ISLANDS, WAS A JOINT COMMUNIQUE AND NOT A BOUNDARY AGREEMENT AND DID NOT, THEREFORE, SETTLE DEFINITELY THE QUESTION OF SOVEREIGNTY OVER THE OFFSHORE ISLANDS.

8. THE REASON FOR IRAQ'S SURFACING THEIR CLAIM TO THE TWO ISLANDS AT THIS TIME IS NOT ENTIRELY APPARENT HERE. OBVIOUSLY, IRAQ IS DESIROUS OF SAFEGUARDING THE CHANNEL LEADING TO ITS IMPORTANT PORT OF UMM QASR, BUT THIS IS NOTHING NEW. THIS ESCALATION OF BORDER TENSION BY THE IRAQIS MAY WELL BE RELATED TO THE RECENT DEVELOPMENT OF MUCH CLOSER TIES BETWEEN KUWAIT AND SAUDI ARABIA, THE FORMER'S OTHER LARGE CONTIGUOUS NEIGHBOR. THIS MAY BE IRAQ'S WAY OF WARNING KUWAIT FROM GOING TOO FAR IN THE SAUDI DIRECTION, PARTICULARLY WITH RESPECT TO ANY POTENTIAL SECURITY ARRANGEMENTS WHICH COULD HAVE SOME OUT OF THE RECENT GULF FOREIGN MINISTERS' CONFERENCE IN MUSCAT IF IRAQ HAD NOT TORPEDOED THOSE DELIBERATIONS.

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